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**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:11-cv-00213-ESH**

COALITION FOR EDUCATIONAL SUCCESS v.
DEPARTMENT OF EDUCATION
Assigned to: Judge Ellen S. Huvelle
Cause: 05:552 Freedom of Information Act

Date Filed: 01/27/2011
Date Terminated: 12/20/2011
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**COALITION FOR EDUCATIONAL
SUCCESS**

represented by **Paul March Smith**
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ATTORNEY TO BE NOTICED

V.

Defendant

DEPARTMENT OF EDUCATION

represented by **Michelle Lo**
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TERMINATED: 08/09/2011

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TERMINATED: 04/04/2011

Date Filed	#	Docket Text
01/27/2011	<u>1</u>	COMPLAINT against DEPARTMENT OF EDUCATION (Filing fee \$ 350, receipt number 4616035971) filed by COALITION FOR EDUCATIONAL SUCCESS. (Attachments: # <u>1</u> Civil Cover Sheet)(dr) (Entered: 01/28/2011)
01/27/2011		SUMMONS (3) Issued as to DEPARTMENT OF EDUCATION, U.S. Attorney and U.S. Attorney General (dr) (Entered: 01/28/2011)
01/27/2011	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by COALITION FOR EDUCATIONAL SUCCESS identifying Corporate Parent NONE for COALITION FOR EDUCATIONAL SUCCESS. (dr) (Entered: 01/28/2011)
02/02/2011		SUMMONS REISSUED as to DEPARTMENT OF EDUCATION, and non-parties U.S. Attorney (mmh) (Entered: 02/02/2011)
02/02/2011	<u>3</u>	MOTION to Relate Cases by COALITION FOR EDUCATIONAL SUCCESS (Attachments: # <u>1</u> Notice of Related Case)(Smith, Paul) (Entered: 02/02/2011)
02/03/2011	<u>4</u>	Case reassigned as related to 10cv2084, which is pending before Judge Ellen S. Huvelle. Judge John D. Bates no longer assigned to the case. (gt,) (Entered: 02/03/2011)

02/07/2011		MINUTE ORDER finding as moot 3 Motion to Relate Cases: Case has been reassigned to the undersigned as related to 10-2084. Signed by Judge Ellen S. Huvelle on February 7, 2011. (AG) (Entered: 02/07/2011)
02/22/2011	5	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on Attorney General. Date of Service Upon Attorney General 02/01/2011. (Smith, Paul) (Entered: 02/22/2011)
02/22/2011	6	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. DEPARTMENT OF EDUCATION served on 2/7/2011 (Smith, Paul) (Entered: 02/22/2011)
02/22/2011	7	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed in a FOIA Case as to the U.S. Attorney for DC; DEPARTMENT OF EDUCATION served on 2/18/2011, answer due 3/20/2011 for U.S. Attorney. (Smith, Paul) (Entered: 02/22/2011)
03/22/2011	8	NOTICE of Appearance by Robin Michelle Meriweather on behalf of DEPARTMENT OF EDUCATION (Meriweather, Robin) (Entered: 03/22/2011)
03/22/2011	9	Unopposed MOTION for Extension of Time to File Answer re 1 Complaint by DEPARTMENT OF EDUCATION (Meriweather, Robin) (Entered: 03/22/2011)
03/23/2011		MINUTE ORDER granting 9 defendant's Motion for Extension of Time to Answer: it is hereby ORDERED that defendant's answer is due by 4/4/2011. Signed by Judge Ellen S. Huvelle on March 23, 2011. (AG) (Entered: 03/23/2011)
04/04/2011	10	NOTICE OF WITHDRAWAL OF APPEARANCE as to DEPARTMENT OF EDUCATION. Attorney Robin Michelle Meriweather terminated. (McBarnette, Andrea) (Entered: 04/04/2011)
04/04/2011	11	NOTICE of Appearance by Andrea McBarnette on behalf of DEPARTMENT OF EDUCATION (McBarnette, Andrea) (Entered: 04/04/2011)
04/04/2011	12	Consent MOTION for Extension of Time to <i>Respond to the Complaint</i> by DEPARTMENT OF EDUCATION (Attachments: # 1 Text of Proposed Order) (McBarnette, Andrea) (Entered: 04/04/2011)
04/05/2011		MINUTE ORDER granting 12 Consent Motion for Extension of Time: it is hereby ORDERED that defendant will file the Vaughn Index by April 22, 2011; plaintiff will then indicate to defendant what remaining contested claims are left in the case; defendant will file a dispositive motion by May 13, 2011; plaintiff will file an opposition by May 30, 2011; and defendant will file a reply by June 13, 2011. Signed by Judge Ellen S. Huvelle on April 5, 2011. (AG) (Entered: 04/05/2011)

04/05/2011		Set/Reset Deadlines: Vaughn Index due by 4/22/2011. (gdf) (Entered: 04/05/2011)
04/08/2011	<u>1</u> <u>3</u>	Unopposed MOTION to Stay <i>in the event of a government shut down</i> by DEPARTMENT OF EDUCATION (Attachments: # <u>1</u> Text of Proposed Order) (McBarnette, Andrea) (Entered: 04/08/2011)
04/11/2011		MINUTE ORDER finding as moot <u>13</u> Unopposed Motion to Stay. Signed by Judge Ellen S. Huvelle on April 11, 2011. (AG) (Entered: 04/11/2011)
04/22/2011	<u>1</u> <u>4</u>	MOTION for Extension of Time to <i>Complete Briefing Schedule</i> by DEPARTMENT OF EDUCATION (Attachments: # <u>1</u> Text of Proposed Order)(McBarnette, Andrea) (Entered: 04/22/2011)
04/29/2011	<u>1</u> <u>5</u>	Vaughn Index <i>Exhibit E</i> . (Attachments: # <u>1</u> Affidavit Cook Declaration, # <u>2</u> Exhibit A-D)(McBarnette, Andrea) (Entered: 04/29/2011)
05/09/2011	<u>1</u> <u>6</u>	MOTION for Leave to File <i>Amended Complaint</i> by COALITION FOR EDUCATIONAL SUCCESS (Attachments: # <u>1</u> Exhibit 1 - First Amended Complaint for Injunctive Relief, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Proposed Order)(Smith, Paul) (Entered: 05/09/2011)
05/11/2011	<u>1</u> <u>7</u>	Consent MOTION for Extension of Time to <i>Comple Briefing Schedule</i> by DEPARTMENT OF EDUCATION (Attachments: # <u>1</u> Text of Proposed Order) (McBarnette, Andrea) (Entered: 05/11/2011)
05/11/2011		MINUTE ORDER granting <u>16</u> Motion for Leave to File Amended Complaint: Based upon defendant's representation that it does not oppose plaintiff's motion for leave to file an amended complaint and the entire record herein, it is hereby ORDERED that plaintiff's motion for leave to file an Amended Complaint is GRANTED; it is further ORDERED that plaintiff shall file its amended complaint forthwith; and it is further ORDERED that the Amended Complaint shall be deemed filed as of today. Signed by Judge Ellen S. Huvelle on May 11, 2011. (AG) Modified on 5/24/2011 to correct typographical error (AG). (Entered: 05/11/2011)
05/11/2011		MINUTE ORDER granting <u>17</u> Consent Motion for Extension of Time: Upon consideration of the Consent Motion to Extend, it is hereby ORDERED that the due date for Defendant's motion for summary judgment is VACATED; and it is further ORDERED that defendant shall file a status report and/or proposed briefing schedule by July 15, 2011. Signed by Judge Ellen S. Huvelle on May 11, 2011.(AG) (Entered: 05/11/2011)
05/11/2011	<u>1</u> <u>8</u>	FIRST AMENDED COMPLAINT against DEPARTMENT OF EDUCATION filed by COALITION FOR EDUCATIONAL SUCCESS.(jf,) (Entered: 05/12/2011)

07/07/2011		MINUTE ORDER: For the reasons stated on the telephone call held today with the parties, it is hereby ORDERED that the parties shall file a joint briefing schedule that covers the cases numbered 10-cv-2084 and 11-cv-0213 and includes a schedule for producing Vaughn Indexes by the morning of July 12, 2011. It is further ORDERED that if the parties fail to present a joint briefing schedule by the morning of July 12, 2011, the parties will call the Court at 2:30 p.m. on July 12, 2011. It is further ORDERED that defendant will complete its production in the case numbered 10-cv-2084 by August 8, 2011, and that defendant will complete its production in the case numbered 11-cv-0213 by July 15, 2011. Signed by Judge Ellen S. Huvelle on July 7, 2011. (lcesh1) (Entered: 07/07/2011)
07/07/2011		Set/Reset Deadlines: Parties shall file a joint briefing schedule that covers the cases numbered 11-cv-0213 and includes a schedule for producing Vaughn Indexes by the morning of July 12, 2011. Defendant will complete its production in the case numbered 11-cv-0213 by July 15, 2011 7/15/2011. (tcb) (Entered: 07/07/2011)
07/12/2011	<u>1</u> <u>9</u>	NOTICE of Joint Proposed Briefing Schedule by COALITION FOR EDUCATIONAL SUCCESS, DEPARTMENT OF EDUCATION (Attachments: # <u>1</u> Proposed Scheduling Order)(Smith, Paul) (Entered: 07/12/2011)
07/12/2011	<u>2</u> <u>0</u>	ORDER setting briefing schedule set forth in <u>19</u> Notice. The schedule proposed by the parties is adopted. See Order for details. Signed by Judge Ellen S. Huvelle on July 12, 2011. (lcesh1) (Entered: 07/12/2011)
07/12/2011		Set/Reset Deadlines: Dispositive Motions due by 9/30/2011. Response to Dispositive Motions due by 10/14/2011. Reply to Dispositive Motions due by 10/24/2011. Vaughn index due by 8/22/2011. (tcb) (Entered: 07/12/2011)
07/18/2011		Set/Reset Deadlines: Vaughn Index due by 8/22/2011; Objections to production of documents due by 9/9/2011; Summary Judgment motions due by 9/30/2011; Response to Motion for Summary Judgment due by 10/14/2011; Reply to Motion for Summary Judgment due by 10/24/2011. (gdf) (Entered: 07/18/2011)
08/09/2011	<u>2</u> <u>1</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Michelle Lo on behalf of DEPARTMENT OF EDUCATION Substituting for attorney Andrea McBarnette (Lo, Michelle) (Entered: 08/09/2011)
08/22/2011	<u>2</u> <u>2</u>	NOTICE of Filing of Vaughn Index and Declaration by DEPARTMENT OF EDUCATION (Attachments: # <u>1</u> Declaration of Elise Cook, # <u>2</u> Vaughn Index)(Lo, Michelle) (Entered: 08/22/2011)
09/19/2011	<u>2</u> <u>3</u>	Joint MOTION to Stay <i>Briefing Schedule</i> , Joint MOTION for Order to File A Joint Status Report by COALITION FOR EDUCATIONAL SUCCESS, DEPARTMENT OF EDUCATION (Attachments: # <u>1</u> Text of Proposed Order)(Lo, Michelle) (Entered: 09/19/2011)

09/20/2011		MINUTE ORDER granting 23 Joint Motion to Stay; granting 23 Joint Motion for Order: UPON CONSIDERATION of the parties' Joint Motion to Stay Briefing Schedule and for Order to File A Joint Status Report, and for good cause shown, it is hereby ORDERED that the parties' motion is GRANTED, and the briefing schedule set forth in the Court's Order dated July 12, 2011 is STAYED, and it is FURTHER ORDERED that on or before November 30, 2011, the parties shall file a joint status report advising as to the need for further proceedings in this case. Signed by Judge Ellen S. Huvelle on September 20, 2011. (AG) Modified on 9/20/2011 to indicate paperless order (AG). (Entered: 09/20/2011)
11/29/2011	2 4	STATUS REPORT <i>and Motion for Order to File A Joint Status Report</i> by COALITION FOR EDUCATIONAL SUCCESS, DEPARTMENT OF EDUCATION. (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 11/29/2011)
11/29/2011	2 5	Joint MOTION for Order <i>to File A Joint Status Report and Joint Status Report</i> by COALITION FOR EDUCATIONAL SUCCESS, DEPARTMENT OF EDUCATION (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 11/29/2011)
11/30/2011		MINUTE ORDER granting 25 Joint Motion for Order: UPON CONSIDERATION of the parties' Joint Status Report and Motion for Order to File A Joint Status Report, and for good cause shown, it is hereby ORDERED that the parties' motion is GRANTED, and it is FURTHER ORDERED that on or before December 14, 2011, the parties shall file a joint status report recommending a briefing schedule or other appropriate course of action in this case. Signed by Judge Ellen S. Huvelle on November 30, 2011. (AG) (Entered: 11/30/2011)
12/14/2011	2 6	STATUS REPORT <i>and Motion for Order to File A Joint Status Report</i> by COALITION FOR EDUCATIONAL SUCCESS, DEPARTMENT OF EDUCATION. (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 12/14/2011)
12/14/2011	2 7	Joint MOTION for Order <i>to File A Joint Status Report and Joint Status Report</i> by COALITION FOR EDUCATIONAL SUCCESS, DEPARTMENT OF EDUCATION (Attachments: # 1 Text of Proposed Order)(Lo, Michelle) (Entered: 12/14/2011)
12/15/2011		MINUTE ORDER: Upon agreement of the parties, it is hereby ORDERED that the conference call held this date will resume on Tuesday, December 20, 2011, at 2:15 p.m. Signed by Judge Ellen S. Huvelle on December 15, 2011. (lcsh1) (Entered: 12/15/2011)
12/15/2011		Minute Entry for proceedings held before Judge Ellen S. Huvelle: Telephone Conference held in Chambers on 12/15/2011. (gdf) (Entered: 12/19/2011)
12/15/2011		Set/Reset Hearings: Telephone Conference set for 12/20/2011 at 2:15 PM in

		Chambers before Judge Ellen S. Huvelle. (gdf) (Entered: 12/19/2011)
12/20/2011		MINUTE ORDER: Based on the representations of the parties during the conference call held this date, the above-captioned case has been resolved and it is ORDERED that plaintiff's complaint is dismissed with prejudice. Signed by Judge Ellen S. Huvelle on December 20, 2011. (lcesh1) (Entered: 12/20/2011)

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